2. LEVIES

The Lace Industry (Levy) Order, 1948*

1948 No. 2775

Made - - - - 20th December, 1948
Coming into Operation 1st January, 1949

Whereas it appears to the Board of Trade that it is expedient that funds should be made available for the purpose of scientific research in connection with the lace industry.

And Whereas it further appears to the Board of Trade that an Association to be called the Lace Research Association (hereinafter called " the Association ") a body capable of carrying out such scientific research satisfactorily is to be brought into being.

Now, therefore, the Board of Trade in pursuance of the powers conferred upon them by Section 9 of the Industrial Organisation and Development Act, 1947(a), hereby order as follows:—

1. For the purposes of this Order the activities designated in the Schedule hereto shall be treated as constituting the lace industry and the activities so designated are hereinafter referred to as " the industry ".

2. Every person carrying on business in the industry shall pay to the Board of Trade in respect of each period of three months ending respectively on the 31st day of March, the 30th day of June, the 30th day of September and the 31st day of December in every year, a charge, made up as follows:—

(*a*) in respect of each multi-needle shuttle embroidery machine standing at any time during that period on premises used by him in the course of his business, of such amount not exceeding 6s. 3d. as may be fixed by the Board of Trade calculated so that the total sum recoverable in respect of all multi-needle shuttle embroidery machines shall be, as nearly as possible, £250 in each year;

(*b*) in respect of each Barmen lace machine standing at any time during that period on premises used by him in the course of his business, of such amount not exceeding 3d. as may be fixed by the Board of Trade calculated so that the total sum recoverable in respect of all Barmen lace machines shall be, as nearly as possible, £50 in each year;

(*c*) in respect of each Leavers lace machine standing at any time during that period on premises used by him in the course of his business, of such amount not exceeding 20s. 0d. as may be fixed by the Board of Trade calculated so that the total sum recoverable in respect of all Leavers lace machines shall be, as nearly as possible, £2,750 in each year;

(*d*) such amount, not exceeding 0.4 of one per cent. of the price paid or payable for all yarn of whatever composition which he has acquired during that period for use on any Nottingham lace curtain machine (by him or by another person for him on commission), as may be fixed

* In accordance with subsection (9) of section 9 of the Industrial Organisation and Development Act, 1947, this Order has been approved by a Resolution of each House of Parliament. The Resolution of the House of Lords and that of the House of Commons were passed on the 16th December, 1948.

(a) 10 & 11 Geo. 6. c. 40.

by the Board of Trade calculated so that the total sum recoverable in respect of all yarn acquired for such use shall be, as nearly as possible, £4,000 in each year;

(*e*) such amount, not exceeding 0.5 of one per cent. of the price paid or payable for all yarn of whatever composition which he has acquired during that period for use on any plain net machine (by him or by another person for him on commission), as may be fixed by the Board of Trade calculated so that the total sum recoverable in respect of all yarn acquired for such use shall be, as nearly as possible, £2,500 in each year; and

(*f*) such amount, not exceeding 0.6 of one per cent. of the price paid or payable for all yarn of whatever composition which he has acquired during that period for use, on any warp lace machine (by him or by another person for him on commission) as may be fixed by the Board of Trade calculated so that the total sum recoverable in respect of all yarn acquired for such use shall be, as nearly as possible, £450 in each year.

3. For the purposes of this Order

(*a*) a person shall be deemed to have acquired yarn on the date on which such yarn is invoiced to him, and the price paid or payable for yarn shall be calculated before any deduction by way of discount and shall include delivery charges; and

(*b*) " year " means a period beginning on the 1st day of January and ending on the 31st day of December.

4.—(1) As soon as may be after the expiration of each of the said periods of three months the Board of Trade will—

(*a*) fix the respective rates at which the charge is to be calculated for that period; and

(*b*) cause notice to be given in such manner as they think best adapted for informing the persons affected specifying such rates and the period in respect of which they are calculated.

(2) The charge shall be paid either direct to the Board of Trade, or to the Federation of Lace and Embroidery Employers' Associations of Smithy Row, Nottingham or Lace Productions (1948) Limited of Long Eaton, on behalf of the Board of Trade, within 30 days of the date on which the notice referred to in paragraph (1) of this Article is given to the person affected thereby.

5. The amount of any charge due and payable under this Order shall be recoverable by the Board of Trade as a debt.

6. All monies recovered by the Board of Trade in respect of any charge under this Order shall be paid into the " Lace Industry (Levy) Deposit Account " being an account opened by His Majesty's Paymaster General on behalf of the Board of Trade and shall be issued thereout to the Association to meet any expenses incurred by it in respect of scientific research in connection with the industry.

7. The Board of Trade may by notice in writing require any person carrying on business in the industry

(*a*) to furnish such returns and other information;

(*b*) to keep such records; and

(*c*) to produce for examination such books and other documents and records

as may appear to the Board of Trade to be reasonably requisite for the purpose of the recovery of any charge imposed by this Order.

8.—(1) If any person required under the provisions of this Order to furnish returns or other information, to keep records or to produce for examination books or other documents or records fails to furnish, keep or produce them in accordance with the requirement he shall, unless he proves that he had reasonable excuse for the failure, be liable on summary conviction to a fine not exceeding two pounds in respect of each day during which the failure continues.

(2) If any person in purporting to fulfil any requirement imposed by the Board of Trade under the provisions of this Order to furnish returns or information knowingly or recklessly makes any statement which is false in a material particular, he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or on conviction on indictment to imprisonment for a term not exceeding two years or to a fine not exceeding one hundred pounds or, in either case, to both such imprisonment and such fine.

9.—(1) The Interpretation Act, 1889(a), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) This Order may be cited as the Lace Industry (Levy) Order, 1948, and shall come into operation on the 1st day of January, 1949.

Dated this 20th day of December, 1948.

Harold Wilson,
President of the Board of Trade.

SCHEDULE

The following activities shall be treated as constituting the lace industry:—

(*a*) carrying out any process in the manufacture of lace or lace net (including veiling or hair nets) or of embroidery;

(*b*) procuring the carrying out of any of the processes mentioned in (*a*) above.

In this Schedule lace, lace net, and embroidery shall mean goods in the manufacture of which a process has been carried out on any one or more of the following:—

Multi-needle shuttle embroidery machine,
Barmen lace machine,
Leavers lace machine,
Nottingham lace curtain machine,
Plain net machine,
Warp lace machine.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

The effect of this order is to impose on the lace industry a levy calculated to produce £10,000 a year. This will be used to finance scientific research to be carried out in connection with the industry by the Lace Research Association, which is about to be established.

(a) 52 & 53 Vict. c. 63.